

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: John Teufel	Team: Team # 6	CCRB Case #: 200616823	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Sunday, 12/17/2006 4:00 PM	Location of Incident: Inside § 87(2)(b) of § 87(2)(b)		Precinct: 101	18 Mo. SOL 6/17/2008	EO SOL 6/17/2008
Date/Time CV Reported Sun, 12/17/2006 10:14 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Sun, 12/17/2006 10:14 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. Officers			
2. POM Stephen Centore	31854	936328	101 PCT
3. An officer			
4. POM Keith Horn	02076	940271	101 PCT
5. SGT Joseph Digennaro	04419	906107	101 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM William Unverzagt	03861	933432	101 PCT
2. POM Adam Deoliveira	02813	934749	101 PCT
3. POF Janice Collins	24272	940991	101 PCT
4. POM Michael Maloney	23646	932947	101 PCT
5. POM Jason Stewart	05195	933388	101 PCT
6. POF Cassandra Monderine	11378	939055	101 PCT
7. POM Peter Cacciatore	11535	939957	101 PCT
8. POM Joseph Koch	30243	940338	101 PCT
9. POM Stephen Madden	02133	940405	101 PCT
10. POM Edward Theriault	01773	937622	101 PCT
11. POM Douglas Rome	31085	937428	101 PCT
12. POM Stephen Simco	22552	927521	101 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Stephen Centore	Abuse: PO Stephen Centore questioned § 87(2)(b)	
B.POM Stephen Centore	Abuse: PO Stephen Centore searched § 87(2)(b)	
C.POM Stephen Centore	Abuse: PO Stephen Centore arrested § 87(2)(b)	

Officer(s)	Allegation	Investigator Recommendation
D.POM Stephen Centore	Discourtesy: PO Stephen Centore spoke obscenely to § 87(2)(b) [REDACTED]	[REDACTED]
E.POM Stephen Centore	Abuse: PO Stephen Centore entered § 87(2)(b) [REDACTED] of § 87(2)(b) [REDACTED] in Queens.	[REDACTED]
F.POM Stephen Centore	Force: PO Stephen Centore used physical force against § 87(2)(b) [REDACTED]	[REDACTED]
G.SGT Joseph Digennaro	Abuse: Sgt. Joseph Digennaro authorized the entry of § 87(2)(b) [REDACTED] of § 87(2)(b) [REDACTED] in Queens.	[REDACTED]
H.SGT Joseph Digennaro	Discourtesy: Sgt. Joseph Digennaro spoke obscenely to individuals.	[REDACTED]
I.SGT Joseph Digennaro	Off. Language: Sgt. Joseph Digennaro made remarks to individuals based upon race.	[REDACTED]
J. Officers	Force: Officers used physical force against § 87(2)(b) [REDACTED]	[REDACTED]
K. Officers	Force: Officers used physical force against § 87(2)(b) [REDACTED]	[REDACTED]
L.POM Keith Horn	Force: PO Keith Horn used physical force against § 87(2)(b) [REDACTED]	[REDACTED]
M. An officer	Abuse: An officer threatened § 87(2)(b) [REDACTED] with the use of force.	[REDACTED]
N.POM Stephen Centore	Force: PO Stephen Centore used physical force against § 87(2)(b) [REDACTED]	[REDACTED]
O. Officers	Force: Officers used physical force against § 87(2)(b) [REDACTED]	[REDACTED]
P. An officer	Force: An officer used physical force against § 87(2)(b) [REDACTED]	[REDACTED]
Q. Officers	Abuse: Officers damaged § 87(2)(b) [REDACTED]'s property.	[REDACTED]

Synopsis

§ 87(2)(b) contacted the CCRB by phone on December 17, 2006, to report this complaint on behalf of her son, § 87(2)(b). § 87(2)(b) was not present for this incident. Also on that date § 87(2)(b) contacted IAB to file a complaint regarding the same incident. This complaint was investigated by IAB, and a copy of it was forwarded to the CCRB on May 18, 2007, with log number 06-42845. § 87(2)(b) and § 87(2)(b) alleged that on December 17, 2006, at approximately 4:00 PM, four police officers, later identified by the CCRB as PO Stephen Centore, PO Cassandra Monderine, PO Keith Horn, and PO Janice Collins, entered the lobby of § 87(2)(b) a public housing project in Queens. The officers encountered two males: § 87(2)(b) and § 87(2)(b). PO Centore approached § 87(2)(b) and asked if he resided within the building (Allegation A). § 87(2)(b) said he did, at which point PO Centore grabbed § 87(2)(b)'s shoulder and immediately placed his hands inside the pockets of § 87(2)(b)'s jeans (Allegation B). When PO Centore finished, the officers told § 87(2)(b) that he could leave. § 87(2)(b) and § 87(2)(b) then began to walk away. After they spoke for a few moments, PO Centore again approached § 87(2)(b) and grabbed his shoulder, telling § 87(2)(b) that he heard him use profanity against the officer. PO Centore then told § 87(2)(b) to go into his apartment and retrieve his identification (Allegation C). PO Centore also told § 87(2)(b) in response to a question about whether he was free to leave, "Fine, get the fuck out of here," (Allegation D). § 87(2)(b) walked into his apartment, located off of the lobby. As he did so, PO Monderine placed her foot in the door to keep it open. Before retrieving his identification, § 87(2)(b) told the officers not to enter his apartment. PO Centore replied that he could do what he felt, and proceeded to enter the apartment and walk into the kitchen, then walk back out into the hallway (Allegation E). After entering the apartment, § 87(2)(b) claimed that PO Centore approached him and placed him in a headlock before again exiting the apartment (Allegation F). At around this time, § 87(2)(b) and two neighbors, § 87(2)(b) and § 87(2)(b) entered § 87(2)(b)'s apartment. § 87(2)(b) came back to the door and handed his identification to PO Monderine, who was standing near the door. At this point, PO Centore made a radio call for additional officers to respond to the scene. Also at approximately this time, § 87(2)(b), § 87(2)(b), a female who lives in one of the apartments on this the first floor of § 87(2)(b) began to videotape the unfolding incident.

A few minutes later a large number of police officers entered the lobby of § 87(2)(b). One of the officers, Sgt. Joseph Digennaro, said, "Lock all of them fucking bastards up in the house," (Allegations G and H). Sgt. Digennaro is alleged to have used the word "niggers" when he said this (Allegation I). At this point a large number of officers rushed into the apartment, in the process knocking § 87(2)(b) to the floor (Allegation J). An officer punched § 87(2)(b) in the left side of his face (Allegation K). A second officer also punched § 87(2)(b) in the face (Allegation K). PO Horn also joined in the arrest of § 87(2)(b) punching him in the face while pushing his head into a couch (Allegation L). Finally a third officer lifted § 87(2)(b) from the couch, handcuffed him, and said, "I'll fucking kill you," (Allegation M). PO Centore also participated in this arrest by punching § 87(2)(b) in the mouth and ribs (Allegation N).

As § 87(2)(b) was being escorted from the apartment after being arrested, an officer he could not see punched him in the stomach, and another placed him in a headlock (Allegation O). At around this time, an unidentified officer approached § 87(2)(b) lifted her from the ground (as she had fallen over something), and began to shake her body in a harsh manner (Allegation P). Two officers also allegedly "scratched" § 87(2)(b). PO Collins then handcuffed § 87(2)(b) and led her to a police vehicle outside of the building. In all, § 87(2)(b) and § 87(2)(b) were arrested. After this incident concluded, § 87(2)(b) who resides in § 87(2)(b) noticed that her kitchen table was lop-sided, which it had not been previously, and the stand under her living room table was broken and could not be replaced (Allegation Q).

§ 87(2)(g)

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Summary of Complaint

§ 87(2)(b) a § 87(2)(b)-old black male student, 6'0", 180 lbs., first gave a statement to Sgt. David Zabransky of Internal Affairs, which took place on December 17, 2006, at Queens Central Booking (Encl. 15A-B). § 87(2)(b) composed a brief written complaint to the CCRB on December 17, 2007 (Encl. 19A-B). § 87(2)(b) provided an official statement to the CCRB on January 22, 2007 (Encl. 20A-D). Any discrepancies between these statements are noted below.

On December 17, 2006, at approximately 4:00 PM, § 87(2)(b) exited his apartment on the first floor of § 87(2)(b) in Queens. He then walked down the hall to his friend § 87(2)(b)'s apartment, § 87(2)(b). He knocked on § 87(2)(b)'s door and there was no reply, so he began to walk back to his own apartment. When doing this, § 87(2)(b) noticed four police officers enter the lobby of his building from the main entrance. One of the officers, PO Centore, approached § 87(2)(b) and asked if he lived there, indicating § 87(2)(b)'s apartment. § 87(2)(b) said he did not, and when PO Centore asked which apartment was his, he gestured to his own door. PO Centore then grabbed § 87(2)(b) shoulder and immediately searched § 87(2)(b) without giving him any verbal warnings. PO Centore went into the pockets of § 87(2)(b)'s jeans, but not of his jacket. § 87(2)(b) asked if he was being locked up, and PO Centore said that he was not. After that the officers told § 87(2)(b) he could go and began to walk away. (During his initial interview with IAB, § 87(2)(b) did not mention walking away from PO Centore, and instead stated that he immediately went to his apartment to retrieve his identification.) As § 87(2)(b) was walking toward the exit of the building, § 87(2)(b) noticed § 87(2)(b) coming down the stairs in the lobby. § 87(2)(b) approached § 87(2)(b) and the two began conversing about going to a music studio in the future. § 87(2)(b) also made reference to a mutual friend of his and § 87(2)(b)'s, saying he needed to "stop fucking fronting." At this point the officers were at the elevator, a few feet from § 87(2)(b) and § 87(2)(b). PO Centore then approached § 87(2)(b) again and said that he heard § 87(2)(b) use profanity toward him. PO Centore also grabbed § 87(2)(b) so that he could not enter § 87(2)(b)'s apartment. PO Centore told § 87(2)(b) to go get his identification. § 87(2)(b) went in his apartment to do this.

All four officers followed § 87(2)(b) as he walked to his apartment, and when he got there and opened the door, PO Monderine held it open with her foot. PO Monderine also kept yelling for § 87(2)(b) to retrieve his identification. At around this point, § 87(2)(b) and § 87(2)(b) also entered § 87(2)(b)'s apartment by walking past the officers. § 87(2)(b) spoke briefly with the officers before telling § 87(2)(b) to go get his identification. Before retrieving his identification, § 87(2)(b) turned around and told the officers to stay out of his house. PO Centore replied that he could do what he felt, and it was a part of his job. PO Centore then entered the apartment and walked to the kitchen as PO Monderine remained holding the door. § 87(2)(b) continued telling PO Centore to get out of the apartment, which he eventually did, going back into the hallway. § 87(2)(b) then retrieved his identification and walked back to the door of his apartment, then handed the identification to PO Monderine, who "snatched" it from him. When § 87(2)(b) came back to the apartment's front door, § 87(2)(b) was also at the door along with § 87(2)(b). § 87(2)(b) had been telling the officers that because § 87(2)(b)'s mother was not home, they could not enter the apartment. PO Monderine then handed § 87(2)(b)'s identification to PO Collins, who began writing down § 87(2)(b)'s information. PO Centore then told § 87(2)(b) to come into the hallway, and § 87(2)(b) asked why. PO Centore informed him that he would be locked up. One of the officers then handed § 87(2)(b)'s identification to PO Centore. § 87(2)(b) said he hadn't done anything, and PO Centore then removed his radio and called for assistance from other officers.

It took the other officers approximately ten minutes to arrive on scene. Throughout this ten minutes, § 87(2)(b) and § 87(2)(b) continued arguing with the officers. The officers began to attempt to enter the apartment, but § 87(2)(b) would not allow them to, and kept blocking their way. § 87(2)(b) and § 87(2)(b) were slightly behind § 87(2)(b). PO Monderine and PO Centore were the officers who were primarily trying to enter the apartment by pushing § 87(2)(b) aside. When additional officers arrived, they entered the lobby and approached § 87(2)(b)'s door. An officer said, "Lock all of them bastards up in the house." An officer in plainclothes unidentified by the CCRB then ran into the house with a large amount of officers behind him. Another officer unidentified by the CCRB (PO2), whose face § 87(2)(b) could not see, hit § 87(2)(b) in the

left side of his face with his right hand when he entered. Another officer unidentified by the CCRB (PO1), whose face § 87(2)(b) did not see, then grabbed § 87(2)(b) and threw him into the living room of the apartment. PO1 did this by grabbing § 87(2)(b) about the collar area and waist and shoving him. § 87(2)(b) did not fully fall on the ground, and PO2 then approached him and hit him again in the face. § 87(2)(b) went down onto his knees next to the couch, and PO2 continued to punch him about the face and head. § 87(2)(b)'s hands were behind his back. An officer then lifted § 87(2)(b) and placed handcuffs on him while saying to § 87(2)(b) "I'll fucking kill you." (During his interview with IAB, § 87(2)(b) was much less precise in his descriptions of physical force used by officers, only specifying one officer as punching him.) § 87(2)(b) could not see this officer but could hear that it was a male, and he was not completely sure that the officer who said this was also the officer who handcuffed him. An officer brought § 87(2)(b) to a marked police vehicle, and he was then taken to the stationhouse. He was not sure what officers transported him to the stationhouse.

§ 87(2)(b) went to § 87(2)(b) a few days later to be treated for his wounds, which consisted of a sprained jaw and a sprained cheekbone.

§ 87(2)(b) described PO Centore as a bald white male of average height. He described PO Monderine as a short white or Hispanic female with blond hair, and PO Collins as a short white or Hispanic female with black hair. He described PO1 as a white male in plainclothes, and PO2 as a white male in uniform.

Medical Treatment

On § 87(2)(b), § 87(2)(b) was treated at § 87(2)(b) (Encl. 50A-I). His records indicate that he informed hospital personnel that he was "assaulted by police," and he complained of pain on the right side of his face and his neck. The records indicate no evidence of injury. Doctors diagnosed § 87(2)(b) with "neck strain" and "neck pain," and did not prescribe him medicine. The records also note that § 87(2)(b) was in "no acute distress."

Results of Investigation

Civilian Statements

§ 87(2)(b) a § 87(2)(b) old black male, 6'0", 180 lbs., provided a statement to Sgt. Zabransky of IAB on December 17, 2006, at Queens Central Booking. § 87(2)(b) provided an official statement at the Merchant Café on January 22, 2007 (Encl. 21A-E). Any discrepancies between these statements are noted below.

On December 17, 2006, at approximately 4:00 PM, § 87(2)(b) was in an apartment in a floor above his own inside § 87(2)(b). He left that apartment and began to walk down the stairs toward his own apartment on the first floor of the building. As he walked down the stairs, he heard what he described as a "commotion" on the first floor. § 87(2)(b) then observed his friend and neighbor § 87(2)(b) speaking with four or five police officers (including PO Centore, PO Monderine, and PO Horn). § 87(2)(b) approached § 87(2)(b) and told him that he would like to go to § 87(2)(b)'s apartment. As he said this, the officers all walked toward the staircase and away from the two young men. § 87(2)(b) said that this was fine, and the two began walking toward § 87(2)(b)'s apartment. As they did so, they spoke with each other. One of the police officers, PO Centore, then turned around, approached the two and said, "What did you say?" PO Centore directed this toward § 87(2)(b). PO Centore then pulled § 87(2)(b) away as § 87(2)(b) went into his apartment. § 87(2)(b) waited inside his apartment for ten to fifteen minutes.

After that time, § 87(2)(b) went back into the hallway. He saw the officers that he had seen previously crowding around § 87(2)(b)'s door at his § 87(2)(b). § 87(2)(b) was standing in his doorway speaking with the officers. PO Monderine had her foot in the door to hold it open, and PO Centore appeared to be standing just slightly inside the apartment. § 87(2)(b) then approached the officers and asked what was going on. § 87(2)(b) asked him to stand at the doorway while he went to retrieve his identification. § 87(2)(b) said that this would be fine. PO Centore then began arguing with § 87(2)(b) telling him that he could not be there and that he should go home. § 87(2)(b) said he would leave once § 87(2)(b) retrieved his identification. The two argued about this for several more minutes. § 87(2)(b) then came back to the door and handed his identification to PO Monderine, who

“snatched” it from his grasp. § 87(2)(b) told § 87(2)(b) to let them look at and keep the identification, as it was not a big deal if they knew his name. § 87(2)(b) then started to walk away, and PO Centore told him that he could not leave. § 87(2)(b) and PO Centore then began arguing over whether § 87(2)(b) could leave or not. After a while, PO Centore said to § 87(2)(b) “Fine, get the fuck out of here.” § 87(2)(b) did not mention this use of profanity during his interview with IAB.)

At around this point, § 87(2)(b) who lives across the hall from § 87(2)(b) in § 87(2)(b), exited her apartment and approached the scene. § 87(2)(b) asked the officers what was going on. She also explained that § 87(2)(b)'s mother was not home, and that if he had given the officers his identification, he should be left alone. As § 87(2)(b) continued arguing with the officers (primarily PO Centore and PO Monderine), § 87(2)(b) and § 87(2)(b) went back inside § 87(2)(b)'s apartment. There, where they still heard § 87(2)(b) arguing with the officers, § 87(2)(b) told § 87(2)(b) that this was not a big problem, and that § 87(2)(b) should remember to tell his mother when she gets back home. § 87(2)(b) then heard his own mother, § 87(2)(b) also arguing with the officers. § 87(2)(b) walked toward the door and saw § 87(2)(b) and § 87(2)(b) speaking with the officers. PO Monderine still had her foot in the door.

When he approached the door, § 87(2)(b) began asking PO Monderine why she still had her foot in the doorway, and told her that she wasn't a “door holder.” PO Monderine then began arguing with § 87(2)(b) while § 87(2)(b) and § 87(2)(b) still stood in the doorway. PO Centore then rushed into the apartment, pushing § 87(2)(b) aside and knocking her to the floor. After PO Centore was in the apartment, he grabbed § 87(2)(b) and put him in a headlock. The other civilians present all began to yell at PO Centore to release § 87(2)(b) which he did, after which the officer went back into the hallway. (During his initial statement to IAB, § 87(2)(b) did mention PO Centore pursuing § 87(2)(b) into the apartment, but stated that it occurred later in the incident, immediately prior to various other officers entering the apartment and arresting several individuals.) When he was out of the apartment PO Centore radioed for backup.

§ 87(2)(b) then began asking PO Centore what the problem was. PO Centore replied that § 87(2)(b) had cursed at him. PO Centore then said that he didn't have to explain himself. (During his statement to IAB, § 87(2)(b) admitted to using profanity towards officers during this incident, but stated that he only did this after officers had used profanity with him.) A few seconds later, several more officers entered the lobby of the building. § 87(2)(b) couldn't say how many but estimated that it was more than ten. These officers surrounded the door of the apartment. Then, from across the hall, § 87(2)(b)'s sister, § 87(2)(b) exited their apartment with a camcorder she was told earlier by § 87(2)(b) to bring over. § 87(2)(b) continued to argue with the officers as § 87(2)(b) filmed from the lobby.

At that point, § 87(2)(b) heard an officer (he was not sure whom) say, “Just arrest them all.” A large amount of officers then ran into the apartment. Several of the officers immediately went after § 87(2)(b) who was in the living room, and began wrestling with him. § 87(2)(b) was pushed onto a couch by these officers. PO Horn was one of these officers, and he appeared to be punching § 87(2)(b) in the side of his face while pushing his face into a couch with his other hand. § 87(2)(b) was not resisting this or fighting back in any way.

Several other officers also entered the apartment, and these officers approached § 87(2)(b) who was not doing or saying anything at the time. An officer grabbed § 87(2)(b) from behind and placed him in a headlock. Another officer, who § 87(2)(b) did not see, also punched § 87(2)(b) in the stomach. § 87(2)(b) asked the officer holding him if the officer could just remove him from the apartment. Another officer, possibly PO Centore, then handcuffed § 87(2)(b). The officer who grabbed § 87(2)(b) then brought him into the hallway and led him to a marked police vehicle. A different officer then drove § 87(2)(b) back to the stationhouse. § 87(2)(b) was not injured during this incident.

§ 87(2)(b) described PO Centore as a bald white male, about 6'1” and 200 lbs. He described PO Monderine as a white female with blond hair, standing about 5'9”. He described PO Horn as a white male in plainclothes, standing about 6'2” and weighing 290 lbs.

§ 87(2)(b)

Call to IAB

§ 87(2)(b) contacted IAB on December 17, 2006 (Encl. 14A-I). She stated that her son, § 87(2)(b) had been beaten and arrested by police officers earlier in the day. The officers broke down the door of her apartment. A bald white male officer “cussed at [her] son,” by saying, “Get out of the fucking building.” § 87(2)(b) replied by saying, “What are you doing in the fucking building?” The officers then entered the apartment, and pushed § 87(2)(b) into a table. Another officer then said, “Arrest all the bastards in the house!” The same bald officer mentioned above then punched § 87(2)(b) in the face. Various other officers then jumped on § 87(2)(b) and began struggling with him. § 87(2)(b) claimed during this conversation to have video footage of the incident.

Additional Statements

§ 87(2)(b), a § 87(2)(b)-old black female, provided a phone interview to Sgt. Zabransky of Internal Affairs on December 17, 2006. § 87(2)(b) also provided an official statement at the CCRB on January 22, 2007 (Encl. 18A-C). Any discrepancies between these statements are noted below.

On December 17, 2006, at approximately 4:00 PM, § 87(2)(b) was in § 87(2)(b) of § 87(2)(b) in Queens, where she lives. A friend of her son’s named § 87(2)(b) came into her apartment and told her to come into the hallway, because officers were questioning § 87(2)(b). § 87(2)(b) told her daughter, § 87(2)(b) to get a camcorder ready and videotape the incident. § 87(2)(b) then exited her apartment and saw three officers (PO Centore, and two officers unidentified by the CCRB) standing outside the door of § 87(2)(b). The officers were engaged in conversation with § 87(2)(b) and § 87(2)(b) walked past the officers and into § 87(2)(b). (During her interview with IAB, § 87(2)(b) specified that she “pushed past” these officers.) She then asked the officers what the problem was. PO Centore told § 87(2)(b) that § 87(2)(b) had used profanity at the officer, telling him to “get the fuck out the hallway.” § 87(2)(b) told § 87(2)(b) that in fact PO Centore had told him to “get the fuck out of the hallway,” and § 87(2)(b) said it back. § 87(2)(b) then told § 87(2)(b) that the officers wanted identification from § 87(2)(b). § 87(2)(b) then went into the apartment and retrieved his identification. He came back a few moments later and handed his identification to PO Centore over § 87(2)(b)’s shoulder. § 87(2)(b) then asked the officers what else they wanted, and one of the officers said they wanted to come into the apartment. § 87(2)(b) said that they could not, because § 87(2)(b) mother, § 87(2)(b) was not home. Seven or eight additional officers then entered the lobby of the building and approached the door, and § 87(2)(b) repeated her reasons that the officers could not enter the apartment. Somebody asked the officers to give back the identification, and an officer replied that he would not do that. § 87(2)(b) pointed out that officers did not have a search warrant.

§ 87(2)(b) then heard an officer say, “Arrest all the niggers in the house.” (During her interview with IAB, § 87(2)(b) did not claim to hear this racial remark, and instead stated that an officer used the word “bastards.”) At that point the officers pushed § 87(2)(b) aside and ran into the apartment. Some of the officers remained in the lobby. § 87(2)(b) was pushed back, into a table. While it was mostly the rush of officers that caused § 87(2)(b) to fall, she also noticed that PO Centore was the first to enter the apartment. § 87(2)(b) had been standing in the living room at the time when the officers entered the apartment. § 87(2)(b) then looked up after falling to the floor and saw PO Centore step over her and toward § 87(2)(b) whom PO Centore punched once in the face. Several more officers grabbed § 87(2)(b) at this point § 87(2)(b) could not describe these officers). § 87(2)(b) did not resist this in any way, and also had not said anything to the officers since they entered the apartment. § 87(2)(b) had said some things to the officers, described as “running off at the mouth,” that § 87(2)(b) could not recall; § 87(2)(b) however, did not see § 87(2)(b) get handcuffed. (During her interview with IAB, § 87(2)(b) did not mention § 87(2)(b) “running off at the mouth” to the officers present.) § 87(2)(b) also saw § 87(2)(b) be pushed by a police officer and land on another table. § 87(2)(b) got up and ran out of the apartment as quickly as she could. The officers in the hallway did not say anything to § 87(2)(b) but tried to grab her. She avoided their attempts. § 87(2)(b) ran outside and told people that § 87(2)(b) was being beaten up by police officers. She saw the officers bring § 87(2)(b) out of the building a few moments later, but she could not describe who these officers were.

§ 87(2)(b) a § 87(2)(b)-old black female, 5'10", 140 lbs., provided a brief written complaint to the CCRB on December 17, 2006. She provided an official statement at the CCRB on January 22, 2007 (Encl. 23A-D). § 87(2)(g)

On December 17, 2006, at approximately 4:00 PM, § 87(2)(b) was inside her apartment at § 87(2)(b) in Queens. She exited her apartment to place something in the garbage, and a police officer who was standing in front of § 87(2)(b) PO Horn, asked § 87(2)(b) to approach. One other officer was also standing in front of this apartment, unidentified by the CCRB. § 87(2)(b) approached PO Horn, who asked her if § 87(2)(b) lived in the apartment. § 87(2)(b) answered that he did, and PO Horn then asked for § 87(2)(b)'s identification. § 87(2)(b) responded that she lived across the hall and was cooking dinner, then asked what this had to do with. PO Horn told § 87(2)(b) to wait in the lobby where she was standing, and proceeded to speak with § 87(2)(b) who was in the doorway of the apartment. PO Horn told him to get identification. These officers began speaking with § 87(2)(b) who informed them that she was a grown woman even though she looks like a child. The officers explained to § 87(2)(b) that § 87(2)(b) was using foul language and they needed his identification. § 87(2)(b) then told § 87(2)(b) to please get his identification so that he does not get locked up. At around this time, § 87(2)(b) § 87(2)(b)'s mother, stepped out of her apartment, walked over to the scene and began speaking with the officers. As the officers explained what was happening to § 87(2)(b) she told them that they could not enter the apartment without a warrant. § 87(2)(b) also told § 87(2)(b) to retrieve his identification, and § 87(2)(b) exited into his apartment to do just that. Also, § 87(2)(b) was in the doorway by this time with § 87(2)(b) and § 87(2)(b) § 87(2)(b) was yelling at the officers and telling them that they should get their feet out of the door, as § 87(2)(b) and § 87(2)(b) told him, in vain, to be quiet because he was just aggravating the situation. Soon after this, several more officers entered the building. § 87(2)(b) began speaking with two female officers (PO Collins and PO Monderine), one of whom was very nice and one of whom was rude. § 87(2)(b) then came back to the door with his identification in hand, which the rude female officer, PO Monderine, snatched. Both § 87(2)(b) and § 87(2)(b) objected to this, saying that § 87(2)(b) had retrieved his identification and as such there was no need to be rude.

PO Centore then started saying "nasty" things, but § 87(2)(b) could not specify what because everybody was talking over each other. § 87(2)(b) then heard an officer say the word "Get" followed by something else she could not hear. Directly after this, commotion broke out, and all of the officers rushed into the apartment. When this happened, § 87(2)(b) fell over something and onto the ground. After she got up, she looked into the apartment and saw six or seven officers on top of § 87(2)(b) in the living room. So many officers were piled on top of § 87(2)(b) while he was on the floor that § 87(2)(b) could barely see him.

At the same time, § 87(2)(b) was saying things to provoke the officers, telling them that they needed a warrant, just as he had been doing earlier in the doorway. § 87(2)(b) did not see § 87(2)(b) get arrested.

One officer unidentified by the CCRB, PO3, came up to § 87(2)(b) after she got off the floor. PO3 grabbed § 87(2)(b)'s shoulders and began shaking her "like [she] was a ragdoll." He kept saying, "Get over here," as he did this. § 87(2)(b) shook her arms to loosen PO3's grip, and kept saying that she did not do anything wrong. PO Collins then approached § 87(2)(b) and PO3. § 87(2)(b) said, "Miss, I was talking to you by the door, you know I didn't do anything." PO Collins took § 87(2)(b) aside and handcuffed her, then led her to a marked police vehicle outside. While she was being walked, § 87(2)(b) kept telling PO Collins that there was a small child in the house, meaning § 87(2)(b) and somebody should make sure he is safe. § 87(2)(b) was charged with § 87(2)(b).

§ 87(2)(b) received a few scratches on her arms during this incident. She does not know what officer gave them to her.

During this interview, § 87(2)(b) described PO Collins as being a white female with dark brown hair, who was "very nice." She described PO Horn as a white male with black or brown hair, and PO Monderine as white female with blond hair who was "nasty" in demeanor. § 87(2)(b) described PO Centore as a bald white male standing about 6'0". She described PO3 as a 6'1" white male who weighed approximately 300 lbs.

§ 87(2)(b) and § 87(2)(b) a § 87(2)(b)-old black male, first provided a brief written complaint to the CCRB on December 17, 2006. He then provided an official statement at the CCRB on January 22, 2007 (Encl. 25A-D). Also present for the interview was § 87(2)(b)'s mother, § 87(2)(b), who resides within § 87(2)(b) but was not present for this incident. § 87(2)(g)

On December 17, 2006, at approximately 4:00 PM, § 87(2)(b) was in his apartment at § 87(2)(b) in Queens. He exited the bathroom and saw his brother, § 87(2)(b), speaking with someone in the hallway. There was a large amount of police officers at the door. Also at the door were § 87(2)(b) and § 87(2)(b) who were telling the officers that they could not come into the apartment. § 87(2)(b) then entered the apartment, approached § 87(2)(b) and asked him for help in finding his identification. § 87(2)(b) overheard a police officer, PO1, standing at the door say that if § 87(2)(b) did not find his identification, he would arrest everyone in the house. § 87(2)(b) then went into his room to retrieve his identification. After a few moments he exited his room with his identification in hand. § 87(2)(b) then walked up to the door and handed it to an officer. § 87(2)(b) could not see who this officer was.

At some point around this time, § 87(2)(b) saw PO4 say something to the effect of, "Arrest them fucking bastards." Most of the officers who had previously been in the lobby then rushed into the apartment. § 87(2)(b) and § 87(2)(b) tried to stop this from happening by closing the door and holding it shut, but the officers pushed past them. Several officers saw § 87(2)(b) who was in the kitchen next to the living room. The officers grabbed § 87(2)(b) and led him to a couch in the living room. The officers then slammed § 87(2)(b) onto the couch, and an officer, PO Centore, began punching him in the mouth and ribs. § 87(2)(b) estimated that PO Centore punched § 87(2)(b) five times. A second officer unidentified by the CCRB, PO5, then appeared to punch § 87(2)(b). Another officer then appeared to choke § 87(2)(b) by holding his neck. Eventually, PO Centore placed § 87(2)(b) in handcuffs. Another officer unidentified by the CCRB, PO6, was holding § 87(2)(b) against the wall, and he eventually placed him in handcuffs.

§ 87(2)(b) who was in the hallway observing this incident, also saw § 87(2)(b) in the hallway. Two female officers, possibly but not conclusively identified as PO Collins and PO Monderine, started scratching § 87(2)(b)'s right arm. § 87(2)(b) was about four feet away from § 87(2)(b) who could not hear what the officers were saying to § 87(2)(b). § 87(2)(b) did not observe § 87(2)(b) being placed in handcuffs. (While § 87(2)(b) alleged, during his initial written complaint, to seeing officers use physical force against § 87(2)(b) and § 87(2)(b) he did not specify any "scratching" of § 87(2)(b) or any punching of § 87(2)(b) by PO Centore.)

While all this was happening, § 87(2)(b) stayed in the kitchen. She ran out of the apartment while the police officers had § 87(2)(b) in the living room. After PO Centore had already handcuffed § 87(2)(b) he approached § 87(2)(b) and asked him to show his hands, which § 87(2)(b) did.

§ 87(2)(b) stated that her kitchen table and living room table were both damaged during this incident. The living room table had a broken stand that could not be repaired. The kitchen table is now wobbly and lop-sided, which it was not previously.

§ 87(2)(b) stated that PO4 was a white male "blackish-brownish" hair. He described the female officers as having blond and black hair, respectively. § 87(2)(b) stated that PO5 was a white male with "black and blond" hair. He described PO Centore as being a tall bald male. Finally, he described PO6 as being a tall white male with short black hair.

Videotape of Incident

This information is taken from a videotape provided by § 87(2)(b). The tape was taken by § 87(2)(b)'s daughter, § 87(2)(b), on December 17, 2006 (see Encl. 51A).

The tape begins in the lobby of § 87(2)(b). A group of officers can be seen crowding around a doorway. In the doorway § 87(2)(b) and § 87(2)(b) are arguing with these officers. PO Collins, PO Monderine, and PO Centore can be seen appearing to speak with § 87(2)(b) and § 87(2)(b). § 87(2)(b) yells at the officers for 'pushing' her a few moments ago, as § 87(2)(b) yells, "You pushed my mother!" § 87(2)(b) then says to the officers, "Ya'll asked him for ID," followed by something unintelligible. PO Centore explains to § 87(2)(b) "He told us to get the fuck out of here." § 87(2)(b) again accuses the officers of pushing her out of the way. A voice, presumably belonging to Sgt.

Digennaro, can be heard in the background saying something to the effect of, "Whoever's getting arrested, get 'em out of the fucking apartment." After a few more seconds, the officers attempt to enter the apartment. It appears that one of the female officers enters first, though it is not clear which one. At this point the tape becomes shaky and it is difficult to decipher what officers actually entered the apartment. A second bald officer can be seen outside waiting, along with a black male officer, while the door to the apartment is closed. PO Horn is also visible standing in the lobby. There appear to be approximately twelve to fifteen officers in total, all standing in the lobby.

After perhaps a minute longer, § 87(2)(b) opens the apartment door and comes running, slamming an officer in the process and yelling very loudly. She then disappears off camera, but quickly reappears either pushing or falling into a male police officer. § 87(2)(b) is then led out of the apartment in handcuffs. It is not clear what officer is leading him. As the officers exit the building, § 87(2)(b) follows, yelling profanity the entire time. § 87(2)(b) is seen being placed into marked police vehicle 2516. § 87(2)(b) is seen being placed in a marked vehicle by the two female officers seen inside the lobby.

After § 87(2)(b) goes back inside § 87(2)(b) she films a broken glass table. § 87(2)(b) states that it was broken by the officers.

The next sequence of video takes place outside of a police stationhouse. A white male officer with brown hair, who appears to be a bit short, approaches the camera and says, "Get the fuck out of here, or come inside and go to jail." This sequence is relatively short and it is not clear what officers being filmed here were present for the original incident.

Witnesses Not Interviewed

§ 87(2)(b) § 87(2)(b)'s daughter, was not interviewed over the course of this investigation because she videotaped this incident upon first arriving at the scene. § 87(2)(g)

Officer Statements

PO Stephen Centore

Memo Book

PO Centore's memo book notes that at 3:52 PM he performed a vertical patrol of § 87(2)(b) (Encl. 26A-B). Also at this time he placed a call on his radio for additional officers, needed for crowd control. At 3:58 PM PO Centore noted three individuals arrested at § 87(2)(b). At 4:40 PM, he processed these arrests.

Arrests Reports

In § 87(2)(b)'s arrest report, authored by PO Centore, the officer notes that § 87(2)(b) was arrested for § 87(2)(b) (Encl. 27A-B). PO Centore writes that § 87(2)(b) stated, "Get the fuck out of here," and, "You can't do shit." He then "got in the way" of another arrest, and resisted arrest by "waiving" [sic] arms "to not be handcuffed." PO Centore also notes that physical force was used while arresting § 87(2)(b) to "restrain, control, and remove" him.

In § 87(2)(b)'s arrest report, PO Centore notes that § 87(2)(b) was arrested for § 87(2)(b) (Encl. 28A-B). PO Centore writes that § 87(2)(b) said to the officer, "Get the fuck out of my building." He then "got in the way" of another arrest before resisting his own arrest by "waiving" [sic] his arms "not to be handcuffed." PO Centore also writes that physical force was used in performing § 87(2)(b)'s arrest to "restrain, control, and remove" him.

In § 87(2)(b)'s arrest report, again authored by PO Centore, the officer notes that § 87(2)(b) was arrested for § 87(2)(b) (Encl. 29A-B). PO Centore writes that § 87(2)(b) "got in the way" of another arrest, then began "waiving" [sic] her own arms "to not be handcuffed." Physical force was used during the arrest of § 87(2)(b) "to restrain, control, and remove" her.

Criminal Court Complaints

In the criminal court complaint form filled out by PO Centore for § 87(2)(b) the officer cites § 87(2)(b) as the charges filed against § 87(2)(b) (Encl. 30A). Under the § 87(2)(b) heading, PO Centore states that in a public place, he heard § 87(2)(b) use the following obscene language: "Get the fuck out of here," and, "You can't do shit." PO Centore does not check any boxes under the heading asking, "How did the defendant's conduct cause public inconvenience, etc." Under the heading for § 87(2)(b), PO Centore notes that while he attempted to arrest § 87(2)(b) intentionally placed himself in between PO Centore and § 87(2)(b). Under the § 87(2)(b) heading, he notes that § 87(2)(b) waved his arms in an attempt to avoid being arrested.

In the criminal court complaint form filled out by PO Centore for § 87(2)(b) under the heading for § 87(2)(b), the officer notes that while he attempted to arrest § 87(2)(b) § 87(2)(b) intentionally placed herself in between PO Centore and § 87(2)(b). Under the § 87(2)(b) heading, PO Centore notes that § 87(2)(b) intentionally attempted to prevent her arrest by waving her arms (Encl. 30B).

In the criminal court complaint form filled out by PO Centore for § 87(2)(b) the officer cites § 87(2)(b) as the charges filed against § 87(2)(b) (Encl. 30C). Under the § 87(2)(b) heading, PO Centore states that in a public place, he heard § 87(2)(b) use the following obscene language: "Get the fuck out of my building." Under the heading asking, "How did the defendant's conduct cause public inconvenience, etc.," PO Centore notes that a crowd gathered in response to § 87(2)(b)'s actions. Under the heading for § 87(2)(b), PO Centore notes that while he attempted to arrest § 87(2)(b) § 87(2)(b) intentionally placed himself in between PO Centore and § 87(2)(b). Under the resisting arrest heading, he notes that § 87(2)(b) waved his arms in an attempt to avoid being arrested.

Official Statement

PO Stephen Centore, a white male, 5'10", 170 lbs., provided an official statement at the CCRB on March 21, 2007 (Encl. 31A-C).

On December 17, 2006, PO Centore worked a tour of 3:00 PM to 11:35 PM. He was assigned to sector CD, and partnered with PO Cassandra Monderine. He was in uniform and assigned to a marked vehicle.

PO Centore has performed verticals at § 87(2)(b) before. It is a high-crime area. Other officers were stationed around the Redfern projects on that day, but PO Centore could not recall their identities.

On December 17, 2006, at approximately 4:00 PM, PO Stephen Centore was patrolling around § 87(2)(b) a housing project in Queens. He was with PO Monderine, PO Horn (an officer stationed at a Redfern post), and PO Horn's partner (later identified by the CCRB as PO Janice Collins). PO Centore noticed a large group of people (about fifteen to twenty) standing both inside and outside the lobby of § 87(2)(b). The crowd was standing around and did not appear agitated. Approximately a week prior, a shooting had occurred in this very spot, and a few months earlier a homicide had occurred there. As such, PO Monderine and PO Centore decided to perform a vertical patrol of the building. PO Centore intended to see whether the people inside the building lived there. If they did not, he intended to issue summonses for trespassing. The officers entered the lobby. As they did so, the large group of people dispersed without the officers making any comment. Two of those people, § 87(2)(b) and § 87(2)(b) remained inside the lobby. They stood outside of an apartment with the door partly open. A few people could be seen inside. PO Centore approached the two and asked where they lived and what their names were. § 87(2)(b) told PO Centore his name. PO Centore began to walk away as he wrote down § 87(2)(b)'s name, with the intention of completing a Stop, Question, and Frisk report. He had not searched § 87(2)(b). As PO Centore walked away, § 87(2)(b) told PO Centore to "go fuck himself" and "get the fuck out of [his] building." § 87(2)(b)'s voice was normal as he said this, but loud enough for PO Centore to hear it about fifteen feet away. PO Centore again asked § 87(2)(b) for identification, with the intention of issuing him a disorderly conduct summons. During his CCRB statement, PO Centore stated that his reasons for issuing this summons were "cursing at an officer," and "refusal of a lawful order." When asked what the lawful order was, PO Centore stated that § 87(2)(b) "had no reason for

being there.” § 87(2)(b) replied that his identification was in his apartment. He proceeded to walk toward his apartment, which was across the lobby. By this point § 87(2)(b) had walked toward and entered his own apartment. As he was there, he screamed at the officers, “You can’t do this, this is bullshit.” At around this time, a crowd had begun to build again in the lobby, and PO Centore radioed for additional officers for crowd control. PO Centore described this crowd as mainly consisting of the people who lived on the first floor of the building. Almost immediately a few officers arrived.

PO Centore followed § 87(2)(b) to his apartment door. When they reached it § 87(2)(b) entered, then quickly tried to slam the door in PO Centore’s face. PO Centore was able to keep the door open by putting his foot in it. PO Centore told § 87(2)(b) to get his identification so that he could be issued a summons. § 87(2)(b) again opened and attempted to shut the door, but PO Centore’s foot remained inside. PO Centore then tried to grab § 87(2)(b) but § 87(2)(b) moved back and PO Centore missed. § 87(2)(b) then approached and entered the doorway between PO Centore and § 87(2)(b). By this point, a large amount of officers had entered the lobby of the building.

§ 87(2)(b) then tried to shut the door on PO Centore, who pushed the door open and entered § 87(2)(b) apartment. Before this occurred, § 87(2)(b) had never ventured deeper into the apartment, and had never left PO Centore’s sight. PO Centore estimated that at this point he entered two to five feet into the apartment. Several other officers entered the apartment as well. He approached § 87(2)(b) first, and told him that he was under arrest. PO Centore then grabbed § 87(2)(b)’s arms. § 87(2)(b) began to flail his arms as the two faced each other. PO Centore told § 87(2)(b) to place his arms behind his back, then grabbed one of § 87(2)(b)’s shoulders and turned § 87(2)(b) around so that his back was to PO Centore. As § 87(2)(b) was being turned, he fell to the ground. PO Centore did not intend to cause § 87(2)(b) to fall, and did not know why the fall occurred. § 87(2)(b) landed on the ground with his face and stomach facing down. During his CCRB statement, PO Centore first claimed that § 87(2)(b) fell on the ground. When questioned further, PO Centore stated that in fact § 87(2)(b) fell on a couch. At this point he continued to resist by throwing his arms over his head. Another officer helped PO Centore by grabbing one of § 87(2)(b)’s arms as PO Centore grabbed the other. PO Centore then handcuffed § 87(2)(b). Also at this time, PO Moderine was attempting to arrest § 87(2)(b) an act that PO Centore was not sure required assistance from another officer. PO Horn was in the lobby patrolling the crowd.

As PO Centore tried to arrest § 87(2)(b) entered the apartment from behind the officer. She pushed several officers, including PO Centore, out of the way. § 87(2)(b) was still standing at this point. PO Centore continued trying to handcuff § 87(2)(b) but was being pushed by § 87(2)(b). § 87(2)(b) also pushed the officers who were trying to arrest § 87(2)(b). Eventually an officer arrested § 87(2)(b) though PO Centore did not witness this. PO Centore himself never took any action against § 87(2)(b) and did not use any force on her. PO Centore stated that he never spoke with § 87(2)(b) at the scene. PO Centore also recalled that § 87(2)(b) (whom he identified as a heavysset woman) entered the apartment at one point and asked what was going on. However by this point the situation had gotten hectic, and PO Centore was unable to speak with her. After the arrests were completed, PO Centore helped move the arrested individuals outside. He did not transport them back to the stationhouse.

Later, at the stationhouse, § 87(2)(b) told PO Centore that she wanted to go to a hospital because she was pregnant. She later admitted that she was lying, and said she did not want to go to a hospital.

None of the arrested individuals appeared injured to PO Centore. He asked all three whether they wanted to go to the hospital, and all three said they did not. An ambulance was called to the stationhouse, as PO Moderine had cut her hand at some point during this incident. PO Centore stated that he did not throw any punches during this incident. He also did not recall any tables being overturned. When asked whether he used any profanity, PO Centore said that he did not, and said that he did not make or overhear any racial epithets.

At the end of this interview, PO Centore, when questioned, identified PO Janice Collins as having been present for this entire incident, from the original entrance to the arrests. He did not recall any of PO Collins’s actions.

Both § 87(2)(b) and § 87(2)(b) were strip-searched at the stationhouse by PO Centore and PO Roland. The reason for this was that both had prior drug arrests. Also, one of the two was “quiet,” and quiet ones are “usually hiding something.” These strip-searches were noted on the command log.

After the above interview was concluded, PO Centore agreed to watch videotape of this incident along with the investigator.

PO Centore admitted that he can be seen using profanity in the tape. He stated, however, that he is telling § 87(2)(b) and § 87(2)(b) what § 87(2)(b) had said to him earlier, and not using profanity to intimidate or mock them.

Upon seeing § 87(2)(b) apparently push an officer, PO Centore stated that he would have arrested her as well, if he had known she did that.

In the tape, PO Centore can clearly be seen speaking with § 87(2)(b) and § 87(2)(b) in the doorway of the apartment before the officers entered. While watching the tape PO Centore stated that he did not recall what was being discussed here. He stated that they may have been asking “what was going on.” PO Centore claimed that the door being slammed can be seen on the tape, and this is what triggered the officers to pour into the apartment.

After watching the tape, PO Centore described the reason he called for additional assistance was a crowd of “40 to 50 people” forming.

PO Janice Collins

Memo Book

PO Collins’s memo book contains no entries about this incident (Encl. 32A-B). However, on an unlined page of her memo book, she notes § 87(2)(b)’s name and date of birth.

Official Statement

PO Janice Collins, a Hispanic female, 5’6”, 145 lbs., provided an official statement at the CCRB on April 17, 2007 (Encl. 33A-B).

On December 17, 2006, PO Collins worked a tour of 2:00 PM to 10:35 PM. Her assignment was post 56, inside the Redfern housing projects. PO Collins was in uniform, partnered with PO Horn, and not assigned to a vehicle.

At approximately 4:00 PM on December 17, 2006, PO Collins and PO Horn began performing a vertical patrol of § 87(2)(b) in Queens. They were with PO Monderine and PO Centore, who were working a Redfern housing sector. The officers entered the lobby of § 87(2)(b) and PO Collins noticed a male, § 87(2)(b) in the hallway. PO Collins was the last to enter the lobby. One of the male officers asked § 87(2)(b) if he resided within the building, and he responded that he did. The officers, thus satisfied, then walked past the male toward the stairs coming off the lobby. As they began ascending the stairs, PO Collins and her fellow officers heard § 87(2)(b) say, “Get the fuck out of here.” § 87(2)(b) was “loud” and “noticeable” when he said this. The officers then turned around and approached § 87(2)(b) again. PO Centore or PO Monderine (PO Collins was not sure which) then asked § 87(2)(b) for both his name and identification. This same officer also told § 87(2)(b) that he or she wanted to make sure that § 87(2)(b) actually lived in the building. When questioned during her CCRB interview, PO Collins stated that she did not know whether § 87(2)(b)’s profanity had anything to do with the reasons for requesting his identification.

§ 87(2)(b) reacted to this request for identification by walking toward an apartment door, opening the door, and saying that he lived here. As he opened the door, PO Collins could see that there were several people inside the apartment, all of them walking towards the door to see what was going on. At this point, several family members were in the doorway of the apartment, while the officers were in the lobby directly outside the doorway. At this point, no officers had entered the apartment. PO Monderine was holding the door open with her foot. It appeared that one or more of the family members was attempting to shut the door on the officers. When PO Collins noticed this, she joined PO Monderine in placing her own foot against the door. Also, at around this time, several additional people entered the lobby to watch what was happening. The officers were asking § 87(2)(b) for his identification, and that was their reason for not allowing the door to be closed. PO Collins herself had no intention of arresting § 87(2)(b) and stated that she was simply backing up her fellow officers in forcing the door open.

PO Collins then began speaking with § 87(2)(b) who had been yelling at § 87(2)(b) saying, “I told you to stay inside, go get your ID!” § 87(2)(b) at this point, was hiding behind § 87(2)(b) and § 87(2)(b) still refusing to get his identification. PO Centore and PO Horn were together at this point, but PO Collins could not recall where they were or whether she ever saw either of them enter the apartment. PO Collins qualified this section of the incident as involving primarily herself and PO

Monderine, the officers who stood in the door requesting § 87(2)(b)'s identification. As more individuals poured into the lobby, PO Centore got on his radio and requested additional officers for back-up. After what seemed to PO Collins a few seconds, officers began entering the lobby of § 87(2)(b). These officers were of the 101st Precinct.

The lobby was now so full that PO Collins felt herself being pushed from behind, with the door still being slammed on her and PO Monderine's feet. PO Collins could not explain exactly how she came to enter the apartment, but stated that the scene was very chaotic, and the amount of pushing nearly necessitated her entry into the apartment. She was never given a direct order to enter. PO Collins was unsure whether PO Monderine entered with her, but was "pretty sure" other officers entered the apartment at this point. Once inside, PO Collins saw Sgt. Digennaro inside the kitchen. PO Collins approached Sgt. Digennaro, who immediately instructed her to "arrest the female," indicating § 87(2)(b). At that point, § 87(2)(b) was standing very close to Sgt. Digennaro. PO Collins was unsure what had transpired between Sgt. Digennaro and § 87(2)(b) leading to her arrest. § 87(2)(b) did not resist being handcuffed, and there was no physical altercation between the two. PO Collins then led § 87(2)(b) outside, through the crowd, and transported her to a patrol car. PO Collins, along with an officer whose identity she could not recall, then transported § 87(2)(b) to the 101st Precinct stationhouse.

While she was inside the apartment, PO Collins did not witness anyone else being arrested, and she did not see any physical interactions between civilians and officers. PO Collins specified that the apartment was dark, which may have obscured her vision while she was inside. PO Collins did not hear any officers use profanity during this incident, and did not use any herself.

PO Keith Horn

Memo Book

PO Horn's memo book contains no entries regarding this incident (Encl. 34A-B).

Official Statement

PO Keith Horn, a white male, 6'2", 175 lbs., provided an official statement at the CCRB on April 16, 2007 (Encl. 35A-B).

On December 17, 2006, PO Horn worked a tour of 2:00 PM to 10:35 PM. He was assigned to a Redfern Projects foot post, and partnered with PO Collins. He was in uniform and not assigned to a vehicle.

On December 17, 2006, at approximately 4:00 PM, PO Horn and PO Collins were walking in front of § 87(2)(b) when they noticed a marked police vehicle parked in front of the entrance to the lobby. There were no individuals standing outside of the building. PO Horn then heard PO Centore send a radio run stating that he would be performing a vertical patrol of § 87(2)(b). After hearing this, PO Horn and PO Collins decided to enter the housing project. When they did so, the officers saw PO Centore and PO Monderine speaking with two males, § 87(2)(b) and § 87(2)(b). No one else was in the lobby. PO Centore and PO Monderine appeared to be arguing with § 87(2)(b) and § 87(2)(b). Some of these individuals were yelling, though PO Horn was unsure who was doing this yelling. PO Centore and PO Monderine were telling the males to "calm down." All four of these individuals were standing in front of an open apartment door, and PO Horn did not recall whether any of these individuals were actually inside of the apartment. PO Horn did not approach or speak with the officers, though PO Collins may have. § 87(2)(b) and § 87(2)(b) also did not acknowledge the presence of PO Horn and PO Collins. PO Horn was unaware, and did not become aware, of the genesis and substance of the argument occurring between the officers and the males.

After a minute or two, civilians began entering the lobby from several apartments, from the stairs, and from the elevator in the lobby. Possibly, these individuals heard the yelling. As the scene began to become more chaotic, PO Centore sent over a radio run for additional units to respond. Other officers responded very quickly, and began pouring in to the lobby. PO Horn, along with several other officers, formed a line between PO Centore and the large number of individuals in the lobby. PO Horn also gave instructions to these individuals along the lines of, "Stay back." Some civilians were still attempting to break this line of officers, and one female in particular, who was holding a video camera, seemed adamant in breaking through this line, and was pushing officers. PO Horn could not describe this female. As he attempted to control the crowd, PO Horn did not notice what was happening behind him, where PO Monderine and PO Centore were continuing to speak with § 87(2)(b) and § 87(2)(b). PO Horn also did not see anyone being placed in handcuffs, but after a minute or two did see two individuals being

led out of the lobby by unknown officers. These individuals did not appear to be injured, and PO Horn could not recall whether these individuals were saying anything as they left the lobby. After these individuals were arrested, the officers began to exit the lobby. The crowd of civilians also began to disperse, though some people lingered behind. PO Horn stayed around the Redfern projects area along with two unspecified male officers who were on a nearby footpost. PO Horn stayed because that was his assignment for the day.

PO Horn never entered any apartments on the floor, and also did not see any other officers enter any apartments. PO Horn did not remember the genders of these individuals. Approximately ten to fifteen officers arrived at this location and performed crowd control. PO Horn never spoke with PO Centore during this incident. He did not use any profanity, nor did he hear any other officers use profanity.

During this interview, PO Horn viewed a videotape of this incident. During this viewing, PO Horn identified § 87(2)(b) as the female who was attempting to push through the officers, though he now amended his testimony to state that he did not know whether she had a camera. PO Horn did not recognize § 87(2)(b). PO Horn still did not recall seeing any females in the doorway of the apartment, or seeing the officers argue with individuals standing in the apartment. PO Horn did not recognize any of the officers in the videotape. PO Horn did point out PO Collins, who was standing next to the open door of the apartment and arguing with § 87(2)(b) and § 87(2)(b). PO Horn stated that he was not observing this argument, as his attention was focused on crowd control. He also did not recall seeing officers enter this apartment.

PO Cassandra Monderine

Official Statement

PO Cassandra Monderine, a white female, 5'9", with light brown hair and brown eyes, provided an official statement at the CCRB on April 12, 2007 (Encl. 36A-B).

On December 17, 2007, PO Monderine worked a tour of 3:00 PM to 11:35 PM. Her assignment was sector CD, and she was partnered with PO Centore. She was in uniform, and assigned to a marked motor vehicle.

On December 17, 2007, at approximately 4:00 PM, PO Monderine and PO Centore walked past § 87(2)(b) a housing project in Queens. They observed five or six individuals standing around outside the lobby of the building. Because the officers believed these people to be loitering, they approached the front of the building. As they did so, most of the individuals walked away and scattered into the building. PO Monderine and PO Centore then entered the lobby and saw two individuals in the lobby of the building, § 87(2)(b) and § 87(2)(b) and § 87(2)(b) were standing in the lobby and did not appear to be doing anything else. The officers approached them, and PO Centore asked both for identification. PO Monderine stated that she and her partner intended to "250 them," meaning fill out stop and question reports, because they wished to see whether § 87(2)(b) and § 87(2)(b) lived in the building. § 87(2)(b) and § 87(2)(b) did not provide identification, but instead said, loudly and obnoxiously, "Get the fuck out of our building, you can't do shit." After the two said this, several people whose apartments were on the first floor of the building exited their homes to see what the commotion was, and a large crowd began to form. Approximately ten to twenty people entered the lobby around this time.

At this point, PO Monderine and PO Centore decided to issue summonses for disorderly conduct to § 87(2)(b) and § 87(2)(b) as their actions had caused a crowd to form. PO Monderine again asked the two for identification. § 87(2)(b) then ran to his apartment, opened the door, and entered. PO Monderine and PO Centore followed the two, pushed the door open, and stepped into the doorway. Suddenly, a female, § 87(2)(b) appeared from inside the apartment and pushed PO Monderine in an attempt to get her out of the apartment. By this point, either PO Monderine or PO Centore had already placed a radio call for additional officers to report for crowd control, and a large amount of officers had responded. PO Monderine estimated that there were now forty to fifty people in the lobby.

§ 87(2)(b) then began to argue with PO Monderine and PO Centore, as § 87(2)(b) stood in the doorway. § 87(2)(b) was telling the officers that § 87(2)(b) did not have to get his identification, and also attempting to shut the door on the officers. PO Monderine and PO Centore held the door open with their bodies. § 87(2)(b) was still in the hallway behind PO Monderine, yelling profanities at the officers. At around this time, PO Monderine and PO Centore decided to enter further into the apartment, as they hoped to arrest § 87(2)(b) and now had back-up from additional officers. PO Monderine and PO

Centore immediately approached § 87(2)(b) who had walked toward the living room area. As the officers approached, § 87(2)(b) moved backwards. Both officers grabbed one of § 87(2)(b)'s arms. § 87(2)(b) responded to this by pulling his arms backwards and trying to wrench them away from the officers. The officers managed to get § 87(2)(b) onto the floor by sweeping his feet out from under him, at which point they pulled his arms behind him. PO Monderine then handcuffed § 87(2)(b). Neither PO Monderine nor PO Centore ever had to strike § 87(2)(b). PO Monderine had a scratch on her face after this arrest. She is not sure how she obtained this scratch, but believes it may have been resultant of § 87(2)(b) swinging his arms. No other officer participated in this arrest. § 87(2)(b) did not receive any injuries during this struggle. § 87(2)(b) was never placed on a couch or any other piece of furniture during this arrest, and PO Monderine did not believe any furniture had been damaged.

During the arrest of § 87(2)(b) a female approached at some point and tried to get the officers' hands off § 87(2)(b). This female, § 87(2)(b) was eventually arrested. PO Monderine did not know who arrested her.

Once § 87(2)(b) was handcuffed, PO Monderine and PO Centore escorted him to a patrol car outside the building. They then transferred him to the stationhouse. PO Monderine did not see the arrest of § 87(2)(b).

PO Monderine did not hear any officers use any vulgar terms or profanities during this incident.

When questioned as to whether anyone interfered with § 87(2)(b)'s arrest, PO Monderine stated that § 87(2)(b) at one point inserted himself between the officers and § 87(2)(b) possibly in the doorway of the apartment. PO Monderine did not actually witness this, but believed that PO Centore did. PO Monderine also stated that § 87(2)(b) may have attempted to interfere in § 87(2)(b)'s arrest by trying to stand up when he saw § 87(2)(b) being arrested. However PO Monderine and PO Centore were able to keep § 87(2)(b) on the ground.

Sgt. Joseph Digennaro

Memo Book

Sgt. Digennaro stated at the beginning of this interview that the memo book containing the entries for this incident had been lost while the sergeant performed a heated foot pursuit a week prior.

Official Statement

Sgt. Joseph Digennaro, a white male, provided an official statement at the CCRB on April 27, 2007 (Encl. 37A-B).

On December 17, 2006, Sgt. Digennaro worked a tour of 3:00 PM to 11:47 PM. He was assigned to be the 101st Precinct patrol supervisor, and did not recall the identity of his operator. He was in uniform, and assigned to a marked police vehicle.

On December 17, 2006, at approximately 4:00 PM, Sgt. Digennaro was at the stationhouse finishing up roll call when he received a radio call requesting additional officer "forthwith" at § 87(2)(b). The call came from PO Centore and PO Monderine. Sgt. Digennaro immediately boarded a police vehicle and went to the scene. By the time he arrived approximately six other officers were already present. Some were in the lobby, and others were already inside an apartment on the first floor, off the lobby. There was also a "huge crowd" of civilians in the lobby of the building, but none outside the lobby. § 87(2)(b) was at that time standing next to the door of the lobby, saying things like, "Fuck you, you can't come in our building." He was also shutting the door of the lobby and attempting to keep officers out. Also, Sgt. Digennaro believed he saw § 87(2)(b) holding a camcorder and recording this incident, though he stated that it could have been another member of the § 87(2)(b) family. Sgt. Digennaro described this scene as incredibly hectic, with around thirty to forty people standing in the cramped lobby area.

As soon as Sgt. Digennaro entered the lobby, he looked at an officer whose identity he could not recall and said, "Whoever's a fucking collar, get 'em out." Members of the crowd were at this point yelling, cursing, and spitting at the officer. Sgt. Digennaro described his goal thusly: he hoped to remove all officers and all arrested individuals from the lobby as soon as possible, so that no one would get hurt. Sgt. Digennaro also noticed one individual in handcuffs, though he did not recall the identity of this individual.

When questioned during his CCRB interview, Sgt. Digennaro stated that he does not think additional officers entered the apartment at this point. Sgt. Digennaro looked inside the apartment to see what was happening, but did not enter the apartment. He saw PO Centore and PO Monderine inside, though

he could not state what they were doing. Sgt. Digennaro did not recall exactly which individuals he ordered arrested and removed, and stated that it was more of a general order for his officers to end the encounter. He did not see any arrests actually occur. After the arrested persons were removed, Sgt. Digennaro went back to the stationhouse. He did not transport any prisoners himself. Altogether, Sgt. Digennaro estimated that he was inside the lobby for approximately thirty seconds.

Sgt. Digennaro has interacted with § 87(2)(b) previously while on patrol, and stated that § 87(2)(b) is usually very combative, and has threatened to make “CCRBs” in the past.

Additional Officers Interviewed

In order to identify any other officers who entered into § 87(2)(b) of § 87(2)(b) the investigator interviewed additional officers. These officers, all from the 101st Precinct, were: PO Edward Theriault, PO Douglas Rome, PO Michael Maloney, PO Joseph Koch, PO Peter Cacciatore, and PO Jason Stewart. Each of these officers denied entering the apartment. Also, all officers interviewed stated that they remained solely inside the lobby of § 87(2)(b) and did not participate in the arrests of any individuals present.

Communications Records

A SPRINT report of this incident lists the incident location as § 87(2)(b) (Encl. 52A-E). At 3:52 PM, sector 101C requests additional officers to this location. Sectors 101CP4, 101E, and 101ST1 reply to this by stating that they are available. At 3:53 PM, sector 101CP4 indicates that it is on scene. At 3:55 PM, a sergeant notes that several arrests will occur at the location. At 3:58 PM, an officer calls for EMS to respond to the scene for injuries to an officer. At 4:05 PM, an officer calls to state that EMS is no longer needed at the scene, and that there is no injured officer at the scene. At 4:07 PM, a call is put over the radio that EMS is needed at the 101st Precinct stationhouse. At 7:26 PM, sector 101C notes an arrest.

NYPD Documents

A copy of the 101st Precinct command log for December 17, 2006, contains entries for § 87(2)(b) and § 87(2)(b) (Encl. 53A). The entries note that § 87(2)(b) and § 87(2)(b) were strip-searched. All three were listed as being charged with obstructing § 87(2)(b).

A copy of the 101st Precinct prisoner holding pen roster contains entries for § 87(2)(b) and § 87(2)(b) (Encl. 54A-B).

A copy of the 101st Precinct Roll Call for December 17, 2006, lists Sgt. Digennaro as being patrol supervisor (Enc. 55A-D). PO Collins and PO Horn are both listed as assigned to a Redfern post. PO Centore and PO Monderine are both listed as being assigned to vehicle 1671, and to “2000 sector” patrol. PO Madden is assigned to an Edgemere post, and PO Maloney and PO Stewart are both listed as being on Redfern posts. PO Weber and PO Simco are listed as being on critical response duty. PO Unverzagt and PO Deoliviera are listed as being assigned to posts at 13-02 Redfern Avenue.

IAB Documents

A series of documentation provided by Internal Affairs Bureau contains arrest reports and histories for § 87(2)(b) and § 87(2)(b) (see Encl. 56A-S). Photos of § 87(2)(b) are also included. Finally, recaps of the testimony provided to IAB by § 87(2)(b) and § 87(2)(b) are included. These recaps have been summarized above. The case was closed by IAB without being fully investigated, and was then referred to the CCRB.

Status of Court Cases (see Encl. 57A-C)

§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)

Criminal Conviction History of Civilians (see Encl. 59A-M)

[illegible]

§ 87(2)(b) has filed one prior CCRB complaint, § 87(2)(b) § 87(2)(b) and § 87(2)(b) have not filed any prior CCRB complaints (Encl. 10A, 11A, 12A, and 13A).

PO Centore, a two-year NYPD veteran, has no prior substantiated CCRB allegations on his record (Encl. 6A). Sgt. Digennaro, a 13-year member of the NYPD, has had no substantiated CCRB allegations resulting in discipline from the NYPD (Encl. 7A-C). PO Horn, a one-year NYPD veteran, has no substantiated CCRB allegations on his record (Encl. 8A).

PO Centore was initially identified as one of the officers responding to this incident by the arrest reports of § 87(2)(b) and § 87(2)(b) as he was listed as arresting officer for all three. Further investigation revealed that PO Centore's partner during this incident was PO Monderine. During his interview at the CCRB, PO Centore noted that PO Horn, PO Collins, and Sgt. Digennaro also responded to this incident. All other officers interviewed were identified by the roll call for the date of this incident. Officers interviewed were listed as being assigned to posts at or near the Redfern housing projects.

[REDACTED]

For reasons detailed within the allegation analyses found below, all other allegations are being pleaded against “Officers” or “An officer.”

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It is undisputed that PO Centore, while performing a vertical patrol with PO Collins, PO Monderine, and PO Horn, performed a stop of § 87(2)(b) while inside the lobby of § 87(2)(b). It is undisputed that PO Centore requested to see § 87(2)(b)'s identification, with the intention of issuing him a summons for disorderly conduct. An argument then occurred between various individuals (the identities of these individuals are partially disputed) in the doorway of § 87(2)(b) after § 87(2)(b) entered this apartment. Additional officers arrived on scene, and it is undisputed that Sgt. Digennaro then used profanity in giving officers permission to enter the apartment. Finally, it is undisputed that § 87(2)(b) and § 87(2)(b) were arrested, and that PO Centore, PO Monderine, and PO Collins entered § 87(2)(b) of § 87(2)(b).

The following is disputed: whether PO Centore searched § 87(2)(b) whether § 87(2)(b) used profanity toward PO Centore; whether PO Centore used profanity toward § 87(2)(b) whether PO Centore entered § 87(2)(b) prior to the arrival on scene of additional officers, and whether he placed § 87(2)(b) in a headlock at this time; whether the civilians standing in the doorway attempted to shut the door on the officers; the amount of force used on § 87(2)(b) and § 87(2)(b) inside of § 87(2)(b) the number of officers who entered the apartment; whether Sgt. Digennaro used a racial slur in telling officers to enter the apartment; whether § 87(2)(b) and § 87(2)(b) resisted being arrested, or interfered with the arrests of other individuals; and whether the officers damaged any of § 87(2)(b)'s property during this incident.

Assessment of Evidence

§ 87(2)(g)

[REDACTED]

§ 87(2)(g)

[REDACTED]

§ 87(2)(g)

[REDACTED]

§ 87(2)(g)

[Redacted text block]

§ 87(2)(g)

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§ 87(2)(g) [Redacted text block]

§ 87(2)(g) [Redacted text block]

§ 87(2)(g) [Redacted text block]

§ 87(2)(g) [Redacted text block]

§ 87(2)(g)

Allegations Not Pleaded

While a copy of the 101st Precinct command log notes that § 87(2)(b) and § 87(2)(b) were both strip-searched, and PO Centore admitted as much in his CCRB interview, neither made allegations regarding these strip-searches during any of the statements provided to the CCRB. § 87(2)(g)

Also, videotape of this incident, received by the investigator after the completion of official statements, clearly shows an officer using profanity toward a camera held by an unidentified civilian. This appears to occur outside of a stationhouse. § 87(2)(g)

Allegation A: PO Stephen Centore questioned § 87(2)(b)

Allegation B: PO Stephen Centore searched § 87(2)(b)

§ 87(2)(b) claimed that as he stood in the lobby of § 87(2)(b) he was approached by four police officers, including PO Centore. PO Centore first asked if § 87(2)(b) lived in an apartment § 87(2)(b) had been standing near. § 87(2)(b) said he did not, then pointed out his own apartment. PO Centore then searched § 87(2)(b). When this search was completed, PO Centore told § 87(2)(b) he could continue on his way. PO Centore concurred with § 87(2)(b)'s description of the initial stop, but denied searching § 87(2)(b).

§ 87(2)(g)

According to the NYPD Legal Guidelines for Citizen Encounters in Trespass Affidavit Building, an officer may approach an individual for an “articulable reason,” which is not necessarily a belief that criminal activity may be afoot (Encl. 1A). The questions asked by the officer at this level must be non-accusatory, and an officer is specifically permitted to ask an individual his name and address. § 87(2)(g)

Allegation C: PO Stephen Centore arrested § 87(2)(b)

According to PO Centore, the genesis of § 87(2)(b)'s arrest is rooted in § 87(2)(b)'s use of profanity while in the lobby of § 87(2)(b). Specifically, PO Centore alleged that § 87(2)(b) told him, “Get the fuck out of my building,” causing PO Centore to request § 87(2)(b)'s identification for the purpose of issuing him a disorderly conduct summons. This exact phrase is also written on § 87(2)(b)'s arrest report, which also notes that § 87(2)(b) was arrested for § 87(2)(b).

§ 87(2)(g) this incident, which resulted in officers entering an apartment and forcibly arresting three individuals after a lengthy and tense argument, was begat entirely by PO Centore's decision to insist that § 87(2)(b) retrieve his identification from his apartment, for the purpose of writing him a summons.

§ 87(2)(g)

§ 87(2)(g)

Disorderly conduct requires the “intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof,” (Encl. 2A). A comment spoken in a near-empty lobby in a “normal” tone of voice cannot be viewed as an attempt to cause a public disturbance. In the DCT trial *NYPD V. Erazo*, in which an officer was found guilty of misconduct after arresting an individual who called him a “fucking idiot” for disorderly conduct, the judge noted that the New York Court of Appeals had consistently ruled that the “public inconvenience” clause of the disorderly conduct statute “limits the offense of Disorderly Conduct to situations that develop beyond a dispute between individuals to a point where the dispute becomes a general public disturbance problem,” (Encl. 3B). § 87(2)(g)

Also in the above-quoted trial, the judge drew a distinction between a wrongful arrest made in good faith, and one made for retaliatory reasons: “I would recommend that the instant charge be dismissed if the record showed that the Respondent had arrested Lashley based on a good faith, albeit erroneous, belief that Lashley had actually committed the offense of Disorderly Conduct. However, it is clear that the Respondent here was not acting in good faith. On the contrary, I find that the record establishes that the sole reason that Lashley was arrested was because he had annoyed the Respondent by cursing at him and calling him an idiot,” (Encl. 3A). § 87(2)(g)

Investigator: You said you intended to give him a summons in the lobby. What was that summons for?
PO Centore: Would have been probably disorderly conduct.
Investigator: And what about his behavior do you think was disorderly?
PO Centore: That he cursed at an officer, and refused to obey a lawful order.
Investigator: Which order did he refuse?
PO Centore: Basically just being there and not having a purpose for being there.
Investigator: He lives there?
PO Centore: He lives across the hallway.
Investigator: Just checking.

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Allegation D: PO Stephen Centore spoke obscenely to § 87(2)(b)

§ 87(2)(b) claimed that as he stood in the doorway of § 87(2)(b) speaking with PO Centore, the officer told him to “get the fuck out of here.” PO Centore denied speaking with § 87(2)(b) at the doorway of the apartment, but did recall § 87(2)(b) allegedly trying to shut the door on the officers.

According to § 87(2)(b) this interaction happened prior to § 87(2)(b) or § 87(2)(b) having stepped in the doorway of § 87(2)(b). However, § 87(2)(b) did believe § 87(2)(b) to be present at the doorway when PO Centore used the profanity. For his part, § 87(2)(b) did not PO Centore saying this to § 87(2)(b) but was away from the door for a certain amount of time as he retrieved his identification. § 87(2)(g)

Allegation E: PO Stephen Centore entered § 87(2)(b) of § 87(2)(b) in Queens.

§ 87(2)(b) and § 87(2)(b) claimed that, prior to the arrival of additional officers into the lobby of § 87(2)(b) PO Centore entered a few steps into § 87(2)(b) then walked back into the lobby. § 87(2)(b) claimed that, in response to § 87(2)(b) telling PO Centore to stay outside of the apartment, the officer responded by saying that he could do what he wanted and proceeding to step into § 87(2)(b) before exiting a few moments later. § 87(2)(b) claimed that PO Centore rushed into the apartment, pushed § 87(2)(b) aside, and attempted to place § 87(2)(b) in a headlock before rapidly retreating back into the hallway. PO Centore claimed that when he first approached the apartment door, § 87(2)(b) attempted to slam the door, causing PO Centore to place his foot against the door to keep it open. When § 87(2)(b) tried to slam the door shut again, PO Centore tried to grab him but missed. PO Centore also claimed that § 87(2)(b) had not yet entered § 87(2)(b)

Allegation F: PO Stephen Centore used physical force against § 87(2)(b)

§ 87(2)(b) claimed that, when PO Centore initially entered § 87(2)(b) he immediately gravitated to § 87(2)(b) and placed him in a headlock before exiting the apartment again. PO Centore admitted to attempting to grab § 87(2)(b) not § 87(2)(b) but failing to do so.

Allegation G: Sgt. Joseph Digennaro authorized the entry of § 87(2)(b) of § 87(2)(b) in Queens.

Allegation H: Sgt. Joseph Digennaro spoke obscenely to individuals.

During his official statement, Sgt. Digennaro admitted to telling his officers, “Whoever’s a fucking collar, get ‘em out.” This statement was overheard by § 87(2)(b)

§ 87(2)(b) and § 87(2)(b) all of whom repeated variously altered versions of it to the CCRB during their interview.

§ 87(2)(g)

As stated above, Sgt. Digennaro can be heard on tape using the phrase, “Whoever’s getting arrested, get ‘em out of the fucking apartment.” § 87(2)(g)

§ 87(2)(g)

Allegation I: Sgt. Joseph Digennaro made remarks to individuals based on race.

During her official statement, § 87(2)(b) claimed to overhear an officer, later identified by the CCRB as Sgt. Digennaro, use the phrase, “Arrest all the niggers in the house.” Sgt. Digennaro denied saying this, and instead claimed that he said, “Whoever’s a fucking collar, get ‘em out.”

§ 87(2)(g)

Allegation J: Officers used physical force against § 87(2)(b)

§ 87(2)(b) alleged that when several officers entered her apartment, she was knocked to the floor. § 87(2)(g)

§ 87(2)(g)

Allegation L: PO Keith Horn used physical force against § 87(2)(b)

§ 87(2)(b) alleged that he witnessed PO Horn punching § 87(2)(b) in the face inside of § 87(2)(b) PO Horn claimed to never have entered the apartment at all.

§ 87(2)(g)

Allegation K: Officers used physical force against § 87(2)(b)

Allegation M: An officer threatened § 87(2)(b) with the use of force.

§ 87(2)(b) alleged that, after officers entered the apartment, an officer grabbed him and threw him onto the living room couch. A second officer then punched § 87(2)(b) in the face and head several times, as § 87(2)(b) lay on the couch. Finally, a third officer lifted § 87(2)(b) to his feet, handcuffed him, and said, “I’ll fucking kill you.”

During his official statement, § 87(2)(b) stated that he could not see the faces of either of the officers who allegedly used physical force on him. § 87(2)(b) also claimed that he did not see at all the officer who allegedly threatened to kill him. Over the course of this investigation, the investigator interviewed all officers who, according to the Roll Call, were given assignments within the area of § 87(2)(b) or who may have responded to the scene at all. None of these officers admitted to entering § 87(2)(b) during this incident. § 87(2)(g)

Allegation N: PO Stephen Centore used physical force against § 87(2)(b)

§ 87(2)(b) alleged that she witnessed PO Centore approach § 87(2)(b) inside § 87(2)(b) and punch § 87(2)(b) in the face. § 87(2)(b) seconded this, claiming that PO Centore punched § 87(2)(b) five times. PO Centore admitted to arresting § 87(2)(b) but denied punching him or using any physical force beyond grabbing § 87(2)(b)’s arms and accidentally causing him to fall.

While PO Centore’s admission makes it certain he had some kind of interaction with § 87(2)(b), it is unclear of what this interaction consisted. § 87(2)(g)

Allegation O: Officers used physical force against § 87(2)(b)

§ 87(2)(b) alleged that two officers used physical force against him inside of § 87(2)(b) one who placed him inside a headlock, and another who punched him in the stomach. Neither § 87(2)(b) nor any other civilian could provide descriptions of these officers. § 87(2)(g)

Allegation P: An officer used physical force against § 87(2)(b)

§ 87(2)(b) alleged that, inside § 87(2)(b) an officer approached her, grabbed her shoulders, and began to shake her “like [she] was a ragdoll.” While § 87(2)(b) provided a description of this officer (a tale white male close to 300 lbs.), none of the officers interviewed by the CCRB matched this description. As the investigator interviewed every officer who may have responded to the incident at § 87(2)(b) it does not appear that this description is accurate. No other civilians present mentioned seeing this large officer inside of the apartment. § 87(2)(g)

Allegation Q: Officers damaged § 87(2)(b)’s property.

§ 87(2)(b) claimed that, when she later arrived home at § 87(2)(b) after this incident, her living room table had a broken stand that could not be repaired. She also alleged that her kitchen table was lopsided and wobbly, which it was not previously. § 87(2)(g)

§ 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: